



12-1801

#166/ RCE/1632#  
R.T. ✓  
2/14  
RCE**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on  
May 29, 2000, provides for continued examination  
of a utility or plant application filed on or after  
June 8, 1995

Application Number	09/457,771
Filing Date	December 9, 1999
First Named Inventor	R. Martin Emanuele, Ph.D.
Group Art Unit	1632
Examiner Name	Schnizer, R.
Attorney Docket Number	19720-0624 (42896-216422)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may file a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

**1. Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on  
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(e) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.


- a. ☒ Two Checks in the amount of \$740.00 and \$ 110.00 are enclosed for the following fees:
- i. ☒ \$740 - RCE fee under 37 C.F.R. § 1.17(e), REQUIRED when filing the RCE.
- ii. ☒ \$110.00 - Extension of time fee under 37 C.F.R. 1.136 and 1.17.
- b. ☒ The Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 11-0855

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Type Name	Mary Anthony Merchant, Ph.D.	Reg. No. 39,771
Signature		Date

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express mail addressed to: Box RCE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on December 14, 2001.

Type Name	Mary Anthony Merchant, Ph.D.		
Signature		Date	12/14/01

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PTO/SB/21 (08-00)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number

09/457,771

Filing Date

December 9, 1999

First Named Inventor

R. Martin Emanuele

Group Art Unit

1635

Examiner Name

R. Schnizer

Total Number of Pages in This Submission

8

Attorney Docket Number

19/20-0624 (42896-216422)

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## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☒ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing  
Parts under 37 CFR  
1.52 or 1.53☐ Assignment Papers  
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication to  
Group☐ Appeal Communication to Board of  
Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)  
(please identify below):

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Remarks

Kilpatrick Stockton LLP



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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Mary Anthony Merchant, Ph.D., Reg. No. 39,771

Signature

Date

August 5, 2002

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: August 5, 2002

Typed or printed name

Mary Anthony Merchant, Ph.D., Reg. No. 39,771

Signature

Date

August 5, 2002

Burden Hour Statement: This form is estimated to take 12 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.